

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

John J. Toughill,

Civil No. 07-2529 (MJD/SRN)

Plaintiff,

v.

ORDER

Michael J. Astrue, Commissioner
of Social Security,

Defendant.

John J. Toughill, pro se, P.O. Box 52065, Minneapolis, Minnesota 55402

Lonnie F. Bryan, Office of the United States Attorney, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota, 55415, on behalf of Defendant

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Dismiss (Doc. No. 9) is **GRANTED**; and
2. This matter is **DISMISSED WITHOUT PREJUDICE**.

Dated: July 14, 2008

s/Michael J. Davis
MICHAEL J. DAVIS
Chief Judge
United States District Court